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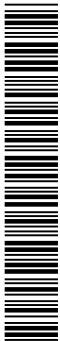
1 **TITLE VI—IMPACT AID**
2 **PROGRAM**

3 **SEC. 601. PAYMENTS UNDER SECTION 8002 WITH RESPECT**
4 **TO FISCAL YEARS IN WHICH INSUFFICIENT**
5 **FUNDS ARE APPROPRIATED.**

6 (a) FOUNDATION PAYMENTS FOR PRE-1995 RECIPI-
7 ENTS.—Section 8002(h)(1) (20 U.S.C. 7702(h)(1)) is
8 amended—

9 (1) in subparagraph (A), by striking “and was
10 eligible to receive a payment under section 2 of the
11 Act of September 30, 1950” and inserting “and that
12 filed, or has been determined pursuant to statute to
13 have filed a timely application, and met, or has been
14 determined pursuant to statute to meet, the eligi-
15 bility requirements of section 2(a)(1)(C) of the Act
16 of September 30, 1950”; and

17 (2) in subparagraph (B), by striking “(or if the
18 local educational agency was not eligible to receive a
19 payment under such section 2 for fiscal year 1994”
20 and inserting “(or if the local educational agency did
21 not meet, or has not been determined pursuant to
22 statute to meet, the eligibility requirements of sec-
23 tion 2(a)(1)(C) of the Act of September 30, 1950
24 for fiscal year 1994”.



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1 (b) PAYMENTS FOR 1995 RECIPIENTS.—Section
2 8002(h)(2) (20 U.S.C. 7702(h)(2)) is amended—

3 (1) in subparagraph (A), by adding at the end
4 before the period “, or whose application for fiscal
5 year 1995 was determined pursuant to statute to be
6 timely filed for purposes of payments for subsequent
7 fiscal years”; and

8 (2) in subparagraph (B)(ii), by striking “for
9 each local educational agency that received a pay-
10 ment under this section for fiscal year 1995” and in-
11 serting “for each local educational agency described
12 in subparagraph (A)”.

13 (c) REMAINING FUNDS.—Section 8002(h)(4)(B) (20
14 U.S.C. 7702(h)(4)(B)) is amended—

15 (1) by striking “(in the same manner as per-
16 centage shares are determined for local educational
17 agencies under paragraph (2)(B)(ii))” and inserting
18 “(by dividing the maximum amount that the agency
19 is eligible to receive under subsection (b) by the total
20 of the maximum amounts for all such agencies)”;
21 and

22 (2) by striking “, except that for the purpose of
23 calculating a local educational agency’s assessed
24 value of the Federal property” and inserting “, ex-
25 cept that, for purposes of calculating a local edu-



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1 cational agency's maximum amount under sub-
2 section (b)".

3 (d) APPLICATION FOR PAYMENT.—Notwithstanding
4 any other provision of law, the Secretary shall treat as
5 timely filed an application under section 8002 (20 U.S.C.
6 7702) from Academy School District 20, Colorado, for a
7 payment for fiscal year 1999, and shall process that appli-
8 cation from funds appropriated for that section for fiscal
9 year 2001.

10 **SEC. 602. CALCULATION OF PAYMENT UNDER SECTION 8003**
11 **FOR SMALL LOCAL EDUCATIONAL AGENCIES.**

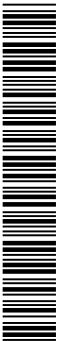
12 Section 8003(b)(3)(B)(iv) (20 U.S.C.
13 7703(b)(3)(B)(iv)) is amended by inserting after "of the
14 State in which the agency is located" the following: "or
15 less than the average per pupil expenditure of all the
16 States".

17 **SEC. 603. CONSTRUCTION.**

18 (a) SCHOOL FACILITY MODERNIZATION GRANTS.—

19 (1) ELIGIBILITY REQUIREMENTS.—Section
20 8007(b)(2) (20 U.S.C. 7707(b)(2)) is amended—

21 (A) in subparagraph (A), by striking "has
22 no capacity to issue bonds or is at such agen-
23 cy's limit in bonded indebtedness" and inserting
24 "has no practical capacity to issue bonds, or
25 has minimal capacity to issue bonds and is at



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1 such agency's limit in bonded indebtedness";
2 and

3 (B) by adding at the end the following:

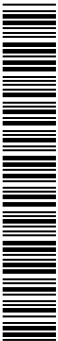
4 "For purposes of subparagraph (A), a local
5 educational agency has no practical capacity to issue
6 bonds if the total assessed valuation of property
7 available to the agency for taxation purposes is less
8 than \$25,000,000 and has minimal capacity to issue
9 bonds if the total assessed valuation of property
10 available to the agency for taxation purposes is not
11 less than \$25,000,000 but not more than
12 \$50,000,000."

13 (2) CONFORMING AMENDMENTS.—(A) Section
14 8007(b)(2) (20 U.S.C. 7707(b)(2)), as amended by
15 paragraph (1)), is further amended—

16 (i) in the matter preceding subparagraph
17 (A), by striking "A local educational agency"
18 and inserting "(A) A local educational agency";

19 (ii) by redesignating the second subpara-
20 graph (A) as clause (i);

21 (iii) by redesignating subparagraph (B) as
22 clause (ii) (and redesignating clauses (i) and
23 (ii) contained therein as subclauses (I) and (II),
24 respectively);



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1 (iv) by striking “For purposes” and insert-
2 ing “(B) For purposes”; and

3 (v) in subparagraph (B) (as redesignated
4 by clause (iv))—

5 (I) by striking “For purposes of sub-
6 paragraph (A)” and inserting “For pur-
7 poses of subparagraph (A)(i)”;

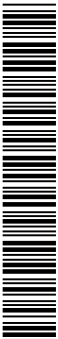
8 (II) by striking “has no practical ca-
9 pacity” and inserting “(i) has no practical
10 capacity”; and

11 (III) by striking “has minimal capac-
12 ity” and inserting “(ii) has minimal capac-
13 ity”.

14 (B) Section 8007(b)(4)(C) of such Act (20
15 U.S.C. 7707(b)(4)(C)) is amended by striking “has
16 the authority” and inserting “has minimal capac-
17 ity”.

18 (C) Section 8007(b)(6) of such Act (20 U.S.C.
19 7707(b)(6)) is amended in subparagraphs (A), (B),
20 (C)(i), and (D) by striking “paragraph (2)(B)(ii)”
21 each place it appears and inserting “paragraph
22 (2)(A)(ii)(II)”.

23 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
24 8014(e) (20 U.S.C. 7714(e)) is amended by striking “for
25 each of the three succeeding fiscal years” and inserting



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1 “for fiscal year 2001, \$62,000,000 for fiscal year 2002,
2 and such sums as may be necessary for each of the four
3 succeeding fiscal years”.

4 **SEC. 604. STATE CONSIDERATION OF PAYMENTS IN PRO-**
5 **VIDING STATE AID.**

6 Section 8009(b)(1) (20 U.S.C. 7709(b)(1)) is amend-
7 ed by inserting after “section 8003(a)(2)(B)” the fol-
8 lowing: “and, with respect to a local educational agency
9 that receives a payment under section 8003(b)(2), the
10 amount in excess of the amount that the agency would
11 receive if the agency were deemed to be an agency eligible
12 to receive a payment under section 8003(b)(1) and not
13 section 8003(b)(2)”.

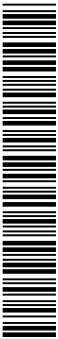
14 **SEC. 605. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 8014 (20 U.S.C. 7714) is amended by strik-
16 ing “three succeeding fiscal years” each place it appears
17 and inserting “six succeeding fiscal years”.

18 **SEC. 606. REDESIGNATION OF PROGRAM.**

19 (a) REDESIGNATION.—(1) Title VIII (20 U.S.C.
20 7701 et seq.) is redesignated as title VI.

21 (2) Sections 8001 through 8005 (20 U.S.C. 7701–
22 7705) are redesignated as sections 6001 through 6005,
23 respectively.



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1 (3) Sections 8007 through 8014 (20 U.S.C. 7707–
2 7714) are redesignated as sections 6006 through 6013,
3 respectively.

4 (b) CONFORMING AMENDMENTS.—(1) Title VI (as
5 redesignated by subsection (a)) is amended by striking
6 “8002”, “8003”, “8004”, “8005”, “8008”, “8009”,
7 “8011”, “8013”, and “8014” each place such terms ap-
8 pear and inserting “6002”, “6003”, “6004”, “6005”,
9 “6007”, “6008”, “6010”, “6012”, and “6013”, respec-
10 tively.

11 (2) Section 6005 (as redesignated by subsection (a))
12 is amended in the heading by striking “**8002 AND 8003**”
13 and inserting “**6002 AND 6003**”.

14 (3) Section 6009(c)(1) (as redesignated by subsection
15 (a)) is amended in the heading by striking “8003” and in-
16 serting “6003”.

17 (c) SAVINGS PROVISION.—Funds appropriated for
18 title VIII of the Elementary and Secondary Education Act
19 of 1965 (as in effect on the day before the date of the
20 enactment of this Act) shall be available for use under title
21 VI of such Act, as added by this section.

